IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 31ST AUGUST 2007 / 9TH BHADRA 1929

WP(C).No. 26207 of 2007(T)

PETITIONERS:
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1. RAGHAVAN ACHARI, AGED 66, S/O. NARAYANAN ACHARI, DIRECTOR BOARD MEMBER, KULANADA SERVICE CO-OPERATIVE BANK LTD.NO.2133, KULANADA P.O., PATHANAMTHITTA DISTRICT.

2. RAJAPPAN, AGED 54, S/O. THEVAN, DIRECTOR BOARD MEMBER, KULANADA SERVICE CO-OP. BANK LTD.NO.2133, KULANADA P.O., PATHANAMTHITTA DISTRICT.

BY ADV. SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:
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1. THE SECRETARY TO GOVERNMENT, DEPARTMENT OF CO-OPERATION, GOVERNMENT OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF REGISTRAR OF CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM.

3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, PATHANAMTHITTA.

BY GOVERNMENT PLEADER SRI.M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 26207 OF 2007
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Dated this the 31st day of August, 2007

J U D G M E N T

Exhibits P4 and P6 are under challenge in this writ petition. By Ext.P4, the prayer of the petitioners for stay of Ext.P1 was declined by the Government. Following Ext.P4, Ext.P6 show cause notice has been issued calling upon the petitioners as to why they shall not be disqualified.

2. I notice that Ext.P4 order declining stay of Ext.P1 does not contain any reason and this order has been passed without even issuing notice to the petitioners or hearing them. As this order is passed in violation of the principles of natural justice, and as it is also not a reasoned order, Ext.P4 deserves to be quashed and I do so. The first respondent is directed to reconsider the petitioners request for stay of Ext.P1, made as per Ext.P3, with notice to the petitioners and pass a speaking order. Till such time orders are passed

as above, further proceedings pursuant to Ext.P6 shall be kept in abeyance. Order shall be passed within two months of receipt of this judgment

3. With the above directions, this writ petition is disposed of.

Petitioners shall produce a copy of this judgment before the 1st respondent, for compliance.

ANTONY DOMINIC, JUDGE.

Rp